REMARKS

In an Office Action dated December 10, 2003, the Examiner rejected claims 1-6, 10, 11-16 and 20 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,658,255 (Goss '255) and rejected claims 7-9 and 17-19 under 35 U.S.C. 103(a) as being unpatentable over Goss '255 in view of U.S. Patent 6,654,615 (Chow). Responsive to the grounds for this rejection, Applicants are amending the two independent claims, claims 1 and 11, to recite that the traffic channel under consideration is a radio traffic channel for a caller of the call.

Goss '255 relates to methods and apparatus for establishing a cellular mobile call. If no radio traffic channels are available, a test is made to determine the expected wait time before a channel becomes available. If the expected wait time is less than a first threshold, the call request is queued and if a channel is not available for an incoming call to a mobile station and does not become available before a second time threshold, the caller is notified that the call has been queued and a connection to the called party is expected to be attempted in a short time. If the caller chooses to stay on the line and not hang up the call is completed when a channel becomes available. For an outgoing call, a control message is sent to the mobile station to trigger an indication of the queued status of the call to the user. The basic idea is to queue calls and to encourage the caller to stay on the line if the call is queued so that when a radio channel becomes available the queued call can be completed.

In contrast, Applicants' invention relates to methods and apparatus for permitting the caller to disconnect while the system waits for a radio traffic channel to become available. Clearly, there is a significant advantage to permitting the caller to hang up while the system waits for an available radio channel because the wait time can be appreciably longer than if the caller is forced to stay on the line throughout that interval.

In terms of the specific grounds for the rejection, the Examiner stated that:

> If no channel is available, permitting the caller to disconnect while the network waits for a channel to become available (Abstract, Fig. 2-3, column 3, line 46 - column 4, line 11).

Applicants submit that permitting the caller to disconnect in the context of Goss '255 simply means that the caller can disconnect in which case the call is abandoned. Both

Fig. 2 and Fig. 3 show that if the calling main station goes on hook before a channel becomes available, then the call is abandoned (see test 319, action block 323 of Fig. 3 and test 217, action block 221 of Fig. 2). There is no indication that a next step "when a channel becomes available for said call, calling back the caller and establishing the requested call" is an action which is taught or suggested by Goss '255. Applicants respectfully submit that the Abstract, Fig. 2-3, and column 3, lines 46 - column 4, line 59 of Goss '255 do not teach calling back the caller but simply teach establishing the call if the caller has not disconnected.

Accordingly, Applicants respectfully submit that the disclosure of Goss '255 does not teach or suggest the claimed material of claims 1 and 11, the only independent claims, and that these claims should be held allowable over the cited prior art.

Regarding claim 2, the Examiner implies that Goss '255 teaches call-back service. Applicants respectfully submit that it does not teach or suggest this subject matter, but only teaches queuing up for an available radio channel and establishing the call when that channel becomes available. If the wait time before a channel becomes available is more than M seconds, the caller is warned ("return a wait signal, block 315, Fig. 2", or "return a wait indication, block 315, Fig. 3) of the delay, but can choose to continue waiting on line, rather than disconnecting and abandoning the call.

Claims 3 and 4 also relate to calling back the caller, subject matter which is not taught or suggested by Goss '255. Claim 5 relates to offering call-back service, subject matter not taught or suggested by Goss '255. Claim 6 relates to providing call-back service, subject matter not taught or suggested by Goss '255. Claim 10, also relating to call-back service, further recites retaining a call record during the interval between the time the caller disconnects and a time when the caller is called back so that the call can be established without requiring the caller to dial the called number; this subject matter is not taught or suggested by Goss '255.

Accordingly, Applicants respectfully submit that the subject matter of Goss '255 does not teach or suggest the subject matter of claims 2, 3, 4, 5, 6 and 10, and that these claims should be held allowable over the cited prior art.

Claims 11, 12, 13, 14, 15, 16, and 20 should be held allowable for the reasons discussed above with respect to claims 1, 2, 3, 4, 5, 6 and 10.

Regarding claims 7-9, Applicants submit that these claims should be held allowable because claim 1 from which they are dependent should be held allowable. Similarly, claims 17-19 should be held allowable because claim 11 from which they are dependent should be held allowable.

Accordingly, Applicants respectfully submit that the subject matter of claims 1-20 should be held allowable for the reasons discussed above. The Examiner is requested to reconsider the grounds for his rejection, to hold all 20 claims as amended allowable, and to pass the application to issue.

If the Examiner feels that a voice or fax communication would help to advance the prosecution of this application, the Examiner is invited to call or fax Applicants' attorney at 630 469-3575.

Respectfully submitted
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